

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DEONDRA L. LIGGION,
381270,

Petitioner,

Case Number: 17-cv-13009

v.

THOMAS O. WINN,

Respondent.

**ORDER GRANTING IN PART, DENYING IN PART PETITIONER'S REQUEST FOR
EXTENSION OF TIME AND FOR APPOINTMENT OF COUNSEL (ECF NO. 14)**

On March 13, 2020, the court granted Petitioner Deondra L. Liggion's motion to hold this habeas corpus proceeding in abeyance while he exhausts state court remedies ("Stay Order"). (ECF No. 13.) The court also imposed conditions under which Petitioner was required to proceed including requiring Petitioner to commence post-conviction proceedings in state court within 60 days of the date of the Stay Order. (*Id.*) Now before the court is Petitioner's request for an extension of time and for the appointment of counsel. (ECF No. 14.)

Petitioner states that his access to the law library has been severely limited since March 5, 2020, when the prison implemented restrictions in response to the COVID-19 pandemic. He asks for additional time to commence state court proceedings. The court recognizes that the COVID-19 pandemic presents particular challenges to *pro se* prisoner litigants and will grant Petitioner 60 days from the date of this order to commence state court proceedings.

Petitioner also asks for the appointment of counsel. Petitioner has no absolute right to be represented by counsel on federal habeas corpus review. See *Wright v. West*, 505 U.S. 277, 293 (1992) (citing *Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987)). “[A]ppointment of counsel in a civil case is . . . a matter within the discretion of the court. It is a privilege and not a right.” *Childs v. Pellegrin*, 822 F.2d 1382, 1384 (6th Cir. 1987). A habeas petitioner may obtain representation at any stage of the case “[w]henever the United States magistrate or the court determines that the interests of justice so require.” 18 U.S.C. § 3006A(a)(2)(B). The court holds that there is no need for the appointment of counsel in this stayed proceeding. To the extent that Petitioner seeks counsel to assist him in his state court proceeding, he should file the appropriate papers in state court.

IT IS ORDERED that Petitioner’s request for an extension of time and for counsel (ECF No. 14) is GRANTED IN PART AND DENIED IN PART. IT IS GRANTED with respect to the extension of time and Petitioner must commence state court proceedings with 60 days from the date of this order. IT IS DENIED as to the request for appointment of counsel.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: June 24, 2020

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, June 24, 2020, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(810) 292-6522